

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**IN RE:**

BRAD DUANE CARROLL

xxx-xx-9484

HEATHER DENISE THOMAS-CARROLL

xxx-xx-6937

415 Jeanie Lane

Lumberton, Texas 77657

**DEBTORS**

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CAUSE NO. 10-10194

(CHAPTER 13)

**OBJECTION TO PROOF OF CLAIM #20  
OF HSBC BANK NEVADA, N.A. (BEST BUY CO., INC.)**

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE UNITED STATES BANKRUPTCY CLERK, 300 WILLOW, SUITE 100, BEAUMONT, TEXAS 77701 AND SERVED WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH REQUESTS FOR HEARING. THE COURT WILL THEREAFTER SET A HEARING. IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

COMES NOW, the MAIDA LAW FIRM, P.C., attorneys for BRAD DUANE CARROLL and HEATHER DENISE THOMAS-CARROLL, the above named Debtors, and object to proof of claim #20 of HSBC BANK NEVADA, N.A. (BEST BUY CO., INC.), in the total amount of \$1,783.69, and hereby submit the following:

1. The claim, attached hereto as Exhibit "A", was filed in the secured amount of \$594.99.
2. HSBC BANK NEVADA, N.A. has no security interest against the Debtors, as the account is merely a credit card account.
3. There is no basis for the secured status on this claim.
4. An attorney's affidavit supporting and validating the information regarding classification of the claim is attached hereto as Exhibit "B".

WHEREFORE, BRAD DUANE CARROLL and HEATHER DENISE THOMAS-CARROLL pray that proof of claim #20 filed by HSBC BANK NEVADA, N.A. (BEST BUY CO., INC.) be reduced to a general unsecured claim in the amount of \$1,783.69, and for such other and further relief as is just.

DATED: January 10, 2011

Respectfully submitted,

**MAIDA LAW FIRM, P.C.**  
**4320 Calder Avenue**  
**Beaumont, Texas 77706**  
**(409) 898-8200; fax no. (409) 898-8400**

By: /s/ Tagnia Fontana Clark  
Tagnia Fontana Clark  
State Bar No.24007194

**ATTORNEYS FOR DEBTORS**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Objection has been properly forwarded to all interested parties listed below via electronic mail or regular U.S. Mail on this the 10<sup>th</sup> day of January, 2011.

/s/ Tagnia Fontana Clark

Tagnia Fontana Clark

HSBC Bank Nevada, N.A. (Best Buy Co., Inc.)  
c/o Bass & Associates, P.C.  
Attn: Megan Conrad & Patti H. Bass  
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Tucson, AZ 85712

Mr. John Talton  
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